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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Sixteenth session
13-31 January 1997

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS SIXTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora Javate DE DIOS (Philippines)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Report submitted on an exceptional basis

Zaire

1. At its 417th meeting, on 16 January 1997, the Committee considered an oral report, presented on an extraordinary basis by the representative of Zaire.

2. The representative stated that Zaire had been shaken by crises, but had been able, with the assistance of the United Nations Development Programme and the United Nations Children's Fund, to prepare a supplementary report for the Committee. She expressed her gratitude to the Committee for allowing her to make the oral presentation and also thanked the Division for the Advancement of Women for its assistance in the matter. She reported that after the Fourth World Conference on Women, an international forum on the rights and leadership of women, held under the auspices of the Public Health Ministry, had re-evaluated Zaire's first report, submitted to the Secretary-General in 1991.

3. The representative informed the Committee that Zaire was a central African country of 2 million hectares and that its population included 22 million women.

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Historically, women in Zaire were respected, but their status was secondary to that of men, and they were subject to various food and behaviour prohibitions. Public life was closed to women in the past, but during the colonial period, girls and women were granted access to schools, although there was no vigorous action to encourage their attendance.

4. Independence was marked by civil wars, but the political will to ensure women's societal and public participation was also apparent. The post-colonial Constitution thus safeguarded the right to equality, and women were made aware of their important role in society.

5. The representative noted that Zaire subscribed to all General Assembly resolutions relating to the advancement of women and, following a presidential decree concerning discrimination against women, it had established national machinery for the advancement of women with focal points in all ministries. A national committee for women, including non-governmental organizations, which were a crucial force in Zaire, as well as government representatives, had been established, as had a human rights bureau.

6. The representative indicated that the national machinery was not a governmental ministry, but a bureau, and the budget for women was currently low. She described the various areas in which women experienced discrimination on the basis of sex. Although a Zairian woman would not lose her citizenship upon marriage to a foreigner unless she chose to, a woman needed her husband's consent to acquire a passport. The minimum age for marriage was 15 years for women and 18 years for men, and marriage was voluntary and governed by free choice of partner. Both spouses had equal rights and responsibility with respect to their children, but the husband was the head of the household and had full authority over his wife in contractual matters and travel, for example.

7. Women were entitled to vote and had the same rights as men to participate in public life. However, few women belonged to political parties and even fewer were to be found in high office in public life. Education was a right for all children, and only 14 per cent of girls were not at school or attending functional literacy programmes.

8. The representative indicated that there was a high level of disease in Zaire, including sexually transmitted diseases, and HIV/AIDS was pandemic.

9. The representative reported that the Government of Zaire had been restructured on 13 January 1997, and a Military Justice Ministry had been established. At the same time, a body had been established to hear grievances and complaints about the military from citizens, and six officers had already appeared before tribunals. It was made clear that eastern Zaire was in a state of rebellion, and as many as 600,000 Zairians, predominantly women and children, were displaced within Zaire. At the same time, Zaire was host to a significant number of refugees from Rwanda and Burundi. Many persons, including women and children, both Zairians and refugees, had fallen victim to violence, including murder, rape and other abuses.

Concluding comments of the Committee

Introduction

10. The Committee thanked the State party for its report presented on an exceptional basis in order to give an account of the situation of Zairian women, which had been aggravated by a particularly difficult socio-political context in recent years.

11. It noted with satisfaction the efforts made by the Government to discharge its obligations under the Convention on the Elimination of All Forms of Discrimination against Women, despite the armed conflicts taking place in the country.

Positive aspects

12. The Committee welcomed the steps taken by the Government to promote and protect women's rights. In this connection, it noted with satisfaction the legislative measures and reforms designed to promote the enjoyment and exercise of women's rights on the basis of equality between the sexes.

Principal subjects of concern

13. The Committee noted with concern that there had been no substantial improvement in the overall situation of women in Zairian territory, despite the ratification of the Convention in November 1986.

14. The Committee regretted that the oral report by the State party had not sufficiently reflected the close link that exists between discrimination against women, gender-based violence and violation of the rights and fundamental freedoms of women.

15. It wondered whether effective measures had been taken to protect the physical and moral integrity of refugee women and of all women victims of armed conflicts.

16. The Committee stated that it was also concerned at the provisions of Zairian legislation which were based on a stereotyped concept of the role of men and women in society and in the home.

17. The Committee feared that certain provisions and principles of the Convention, particularly those guaranteed in articles 3, 4, 5, 10, 12 and 16, had not been taken sufficiently into account in national legislation and policy development.

Suggestions and recommendation

18. The Committee recommended that the national mechanisms responsible for coordination, evaluation and follow-up of the measures and policies adopted in application of the Convention should be strengthened and that they should cooperate closely with all development partners, particularly non-governmental organizations and the specialized agencies of the United Nations.

19. The Committee considered it essential for the Zairian Government to take all appropriate and effective protective measures to guarantee the rights of refugee women and of Zairian women victims of armed conflicts.

20. The Committee encouraged the State party to provide, in its next report, exhaustive information on the consequences of those conflicts for the lives of Zairian women.

21. The Committee emphasized that the general principles set forth in articles 3, 4, 5, 10, 12 and 16 of the Convention should be clearly integrated into national legislation and policies. It recommended that the Government should consider reviewing its legislation to bring it into conformity with the Convention.